

UNITED STATES DISTRICT COURT

for the
Southern District of New York

Frederick W. Gundlach
Plaintiff

Civil Action No.: **11-CV-0846**
JUDGE SEIBEL (CS)

v

International Business Machines Inc;
IBM Japan Ltd; Cognos K.K;
John Doe or Jane Does.
Defendant

SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*)

IBM Japan, Ltd.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff(s) attorney, whose name and address are:

PRO SE FREDERICK W. GUNDLACH
143 HAWTHORNE DRIVE
DENVER BOROUGH, PA 17517

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J KRAJICK
CLERK OF COURT

Date: March 21st 2011

V. Jones

Signature of Clerk or Deputy Clerk

AO 88A (Rev. 06/09) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for (name of individual and title, if any) IBM Japan, Ltd.
 was received by me on (date) 3/23/11.

☒ I served the subpoena by delivering a copy ^{see a attached receipt} to the named individual as follows: International
Registered Mail delivery per Hague Convention Art. 10(a)
sent 3/24, delivered 3/30/11 on (date) _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
 tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
 \$ _____

My fees are \$ _____ for travel and \$ 27.95 for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

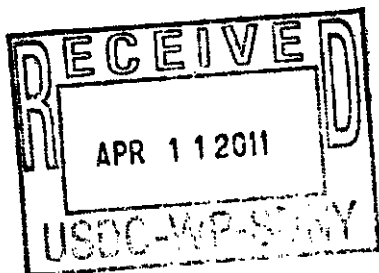
Date: April 4, 2011

Frederick W. Gundlach
 Server's signature

Frederick W. Gundlach
 Printed name and title

143 Hawthorne Drive, Denver PA 17517
 Server's address

Additional information regarding attempted service, etc:



Completed by the office of origin. (A remplir par le bureau d'origine.)	Item Description (Nature de l'envoi)		Registered <input type="checkbox"/> Article (Envoi recommandé)	<input type="checkbox"/> Letter (Lettre)	Printed <input type="checkbox"/> Matter (Imprimé)	<input type="checkbox"/> Other (Autre)	Express <input type="checkbox"/> Mail International
	<input type="checkbox"/> Insured Parcel (Colis avec valeur déclarée)		Insured Value (Valeur déclarée)		Article Number R 438 482 688 W		
	Office of Mailing (Bureau de dépôt)					Date of Posting (Date de dépôt)	
	Address: Name or Firm (Nom ou raison sociale du destinataire) IBM Japan, Ltd. Takayuki Hashimoto						
Completed at destination. (A compléter à destination.)	Street and No. (Rue et No.) Nihonbashi-Hakojicho 19-21						
	Place and Country (Localité et pays) Tokyo JAPAN 103-8510						
	This receipt must be signed by: (1) the addressee; or, (2) a person authorized to sign under the regulations of the country of destination; or, (3) if those regulations so provide, by the employee of the office of destination. This signed form will be returned to the sender by the first mail. (Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à l'expéditeur.)						Postmark of the office of destination (Timbre du bureau de destination)
	<input type="checkbox"/> The article mentioned above was duly delivered. (L'envoi mentionné ci-dessus a été dûment livré.)					Date 2/11/30	
Signature of Addressee (Signature du destinataire)			Office of Destination Employee Signature (Signature de l'agent du bureau de destination)				

PS Form 2865, March 2007 (Reverse) PSN 7530-01-000-8775

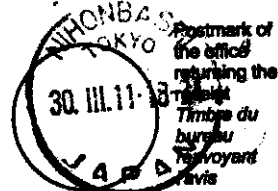


Return Receipt for International Mail

(Registered™, Insured and Express Mail®)

Administration
des Postes des
Etats-Unis
d'Amérique

Par Avion



Return by the quickest route (air or surface mail), a découvert and postage free.....

The sender completes and indicates the address for the return of this receipt.
(A remplir par l'expéditeur, qui indiquera son adresse pour le renvoi du présent avis.)

Name or Firm (Nom ou raison sociale)
Frederick W. Gundlach

A renvoyer par la voie la plus rapide (aérienne ou de surface), à découvert et en franchise de port.

Street and Number (Rue et no.)
143 Hawthorne Drive

City, State, and ZIP + 4® (Localité et code postal)
Denver Boro, PA 17517

UNITED STATES OF AMERICA États-Unis d'Amérique

PS Form 2865, March 2007

Avis de réception

CN07 (Old C5)